



Petition Number: 1506-SPP-15 & 1506-ODP-16

Subject Site Address: *NWC 159th Street and Towne Road*

Petitioner: Langston Residential Development, LLC by Nelson & Frankenberger, P.C.

Request: Primary Plat and Overall Development Plan review for **Bent Creek** consisting of 158 single-family lots.

Current Zoning: SF2: Single-Family Low Density District with Zoning Commitments

Current Land Use: Vacant

Approximate Acreage: 129.74 acres+/-

Property History: 0407-REZ-05 Change of Zoning, Ordinance 04-43 (12/13/04)

Associated Cases: 1506-ZC-02, Zoning Commitment modification (pending)

Exhibits:

1. Staff Report
2. Location Map
3. Primary Plat
4. Overall Development Plan
5. Landscape Plan
6. Public Comment
7. Neighbor Meeting Summary; May 27, 2015

Staff Reviewer: Kevin M. Todd, AICP

PROCEDURAL

Approval of a Primary Plat and an Overall Development Plan must be granted if the submitted plans demonstrate compliance with the terms of the underlying zoning district, subdivision control ordinance and/or applicable PUD District Ordinance, any variances associated with the site, and any commitments associated with the site.

PROJECT OVERVIEW

The 129.74-acre+/- site is located on the north side of 159th Street and the west side of Towne Road (see **Exhibit 2**). The property is zoned Single-Family 2 and is also bound by commitments that were made when the property was zoned to SF-2 in 2004 (Ordinance 04-43). The request is for approval of a Primary Plat and Overall Development Plan (see **Exhibit 3**) for the development and subdivision of the property into 158 single-family residential lots.

Written public comment was submitted to the Department on May 26, 2015 and has been provided for reference (see **Exhibit 6**).



A neighborhood meeting was held on May 27, 2015. A summary of that meeting has been provided for reference (see **Exhibit 7**).

The petition was reviewed by the Technical Advisory Committee at its May 19, 2015 meeting. This petition has been properly noticed for a public hearing at the Advisory Plan Commission's June 1, 2015 meeting.

PRIMARY PLAT STANDARDS (Article 10.12(J) of UDO)

The plans comply except for those items identified as outstanding below in bold text:

- 1) Proposed name of subdivision.
- 2) Names and addresses of the owner, owners, land surveyor or land planner.
Comment: Please add name and address of property owners, Towne Road Development, Inc.
- 3) Title, scale, north arrow and date.
Comment: Please add the date to each sheet.
- 4) Streets on and adjoining the site of the proposed subdivision, showing the names (which shall not duplicate other names of streets in the community, unless extensions of such streets) and including roadway widths, approximate gradients, types and widths of pavement, curbs, sidewalks, cross-walks, tree plantings and other pertinent data.
- 5) Easements (locations, widths and purposes). (Article 8.3)
Comment: Please confirm that the following easements are located on the primary plat drawings: L.O.S.E., S.L.E., and T.P.E. They could not be found on the drawings. If they are not on the drawings, please remove them from the legend.
- 6) Statement concerning the location and approximate size or capacity of utilities to be installed.
Comment: Please coordinate with relevant agencies.
- 7) Layout of Lots (showing dimensions, numbers and square footage). (Article 4.5)
- 8) Parcels of land proposed to be dedicated or reserved for schools, parks, playgrounds or other public, semi-public or community purposes.
- 9) Contours at vertical intervals of two (2) feet if the general slope of the site is less than ten percent (10%) and at vertical intervals of five (5) feet if the general slope is greater than ten percent (10%).
- 10) Tract boundary lines showing dimensions, bearings, angles, and references to section, township and range lines or corners.
- 11) Building setback lines. (Article 4.5)
- 12) Legend and notes.
Comment: Please see Comment 10 above.



- 13) Drawing indicating the proposed method of drainage for storm sewers and other surface water drainage.

Comment: Please coordinate with the Public Works Department and County Surveyor's Office.

- 14) Other features or conditions which would affect the subdivision favorable or adversely.
- 15) A National Cooperative Soil Survey Map showing the soil limitations based upon the intended usage of the development land.
- 16) A statement from County departments, State highway departments, or the Public Works Department concerning rights-of-way, road improvements, roadside improvements, roadside drainage, entrances, culvert pipes, and other specifications deemed necessary.

Comment: Please coordinate with the Public Works Department and County Surveyor's Office.

- 17) If private sewage systems, then a statement from the County Health Officer whether private septic system can be used on the property.
- 18) If legal drain is involved, then a statement from the County Drainage Board or County Surveyor's Office concerning easements, right-of-way, permits, etc.

Comment: Please coordinate with the County Surveyor's Office.

- 19) If floodplain is involved, then a statement from the Indiana Department of Natural Resources, Division of Water, concerning construction in floodway, including floodplain high water marks, etc.

Comment: Please coordinate with IDNR. Mitigation of the flood line for Lot 29 and Lot 133 will need to be completed before Secondary Plats can be signed and recorded for sections that include those Lots.

DESIGN STANDARDS (Chapter 8 of UDO)

The Primary Plat complies except for those items identified as outstanding below, that need addressed prior to approval:

- 20) Block Standards (Article 8.1).

Comment: The north side of Maple Creek Drive (Lots 1-13); the south side of Maple Creek Drive (Lots 134-141 plus Lots 14-25); and the south side of Creeks Crossing Drive (Lots 62-77) exceed the maximum block length of 1,250 feet. The north side of Creeks Crossing Drive (Lots 55-61 plus Lots 109-111) appears to comply, but please confirm.

- 21) Easement Standards (Article 8.3).

Comment: Please see other comments herein.



22) Monument and Marker Standards (Article 8.5).

Comment: Not applicable at Primary Plat stage.

23) Open Space and Amenity Standards (Article 8.6)

Comment: Please provide calculations regarding amount of open space that is within a wetland; third party regulated utility easement; or legal drain. A maximum of 50% of the required Open Space can be one of these items.

Comment: How are Lakes 1, 3, and 4 accessible to the public? In order to count as required Open Space, they need to be accessible to the public. A public way, crosswalk or easement net less than 15 feet in width shall be provided for access to required Open Space (Article 8.6 (C)).

24) Pedestrian Network Standards (Article 8.7)

Comment: Please label width of internal sidewalks.

25) Storm Water Standards (Article 8.8)

Comment: Please coordinate with the Public Works Department.

26) Street and Right-of-Way Standards (Article 8.9)

Comment: Please coordinate with Public Works Department regarding roundabout needs at Towne Road/159th Street and Towne Road/161st Street.

Comment: Please provide right-of-way stubs to the Smith property (to the west) and the Armstrong property (to the north/east).

Comment: Please incorporate required drainage easement pursuant to Article 8.9(G)(3)(c) at the end of all cul-de-sacs.

Comment: Please incorporate pedestrian pathways (sidewalks) at the ends of: Creeks End Court, Rippling Creek Court, and Creeks Crossing Court to Towne Road; and the end of Copper Creek Court to 159th Street.

Comment: Please incorporate a pedestrian pathway (sidewalk) connecting to Raymond Worth Park (to the west).

27) Street Light Standards (Article 8.10)

Comment: Please coordinate with the Public Works Department during construction plan and secondary plat review.

28) Street Sign Standards (Article 8.11)

Comment: Please coordinate with the Public Works Department during construction plan and secondary plat review.



29) Surety Standards (Article 8.12)

Comment: Please coordinate with the Public Works Department during construction plan and secondary plat review.

30) Utility Standards (Article 8.13)

Comment: Please coordinate with the Public Works Department and applicable utilities.

DEVELOPMENT PLAN (Article 10.7(G) of the UDO):

The plans comply except for those items identified as outstanding below:

31) Area map insert showing the general location of the site referenced to Streets, section lines and alternative transportation plan system, as well as the Zoning District and use of adjacent property.

Comment: Please label development plan titles as "Overall Development Plan".

32) Address and legal description of the property.

33) Boundary lines of the property including all dimensions.

34) Location, name, centerline and width of all Streets, Private Streets, Alleys, access easements and alternative transportation plan system improvements that are existing or proposed to be located within or adjacent to the property.

35) Location, centerline and width (at the Lot Line) measurements of any proposed or existing Driveways within two hundred (200) feet of the property, and any connection to an Alley must be indicated.

36) Location and dimensions of primary vehicular ways in and around the proposed development, including depictions of all travel lanes, turning movements, vehicle storage areas and tapers.

37) All proposed Street and Driveway improvements, both on and offsite, including measurement of curb radius and/or taper.

38) Location and dimensions of existing and proposed sidewalks, pathways, trails or other alternate transportation plan improvements.

Comment: Please label width of internal sidewalks.

39) Layout, number, dimension and area (in square feet and acres) of all Lots and Outlots with Building Setback Lines.

40) Location and dimensions of all existing structures and paved areas.

41) Location and dimensions of all proposed structures and paved areas (indicated by cross-hatching).

42) Location of all Floodplain areas within the boundaries of the property.

43) Names of legal ditches and streams on or adjacent to the site.



- 44) Location and feasibility statement of all existing and proposed utility facilities and easements, including, but not limited to: sanitary sewer, water, storm water management, electric, gas, telephone and cable.

Comment: Please coordinate with the Public Works Department and utility providers.

- 45) Identify buildings proposed for demolition.
- 46) Areas of the property reserved for Development Amenities, Open Space and other similar uses.
- 47) Use of each Lot and/or building by labeling, including approximate density or size of proposed uses and buildings (e.g., number of parking spaces, Dwelling Units, Gross Floor Area, Living Area).
- 48) Traffic Impact Study.

Comment: The City will be studying the area within and around this project. Rather than require you to provide an independent traffic impact study for your project, the City may request that you contribute to the larger study for the surrounding area. Please coordinate with the Public Works Department regarding this matter.

DEVELOPMENT PLAN REVIEW (Article 10.7(E) of the UDO):

Development Plans shall comply with and be reviewed by the Plan Commission upon finding that the Development Plan is in compliance with the following requirements:

- 49) Compliance with all applicable development and design standards of the Zoning District in which the real estate is located.
- 50) Compliance with all applicable provisions of any Overlay District in which the real estate is located.
- 51) Management of traffic will be in a manner that creates conditions favorable to health, safety, convenience, and the harmonious development of the community such that:
- a) The design and location of proposed street and highway access points shall minimize safety hazards and congestion.

Comment: Please coordinate with the Public Works Department.

- b) The capacity of adjacent streets and highways is sufficient to safely and efficiently accept traffic that will be generated by the new development.

Comment: Please coordinate with the Public Works Department.

- c) The entrances, streets and internal traffic circulation facilities in the proposed development are compatible with existing and planned streets and adjacent development.

Comment: Please coordinate with the Public Works Department.



- 52) The applicable utilities have sufficient capacity to provide potable water, sanitary sewer facilities, electricity, telephone, natural gas, and cable service at a satisfactory level of service to meet the needs of the proposed development.

Comment: Please coordinate with the Public Works Department and utility providers.

DISTRICT STANDARDS

The plans comply with **Article 4.5 (SF2 District)**, as applicable to a Primary Plat and Overall Development Plan.

- 53) Minimum Lot Area: 15,000 square feet (may be reduced by 3 x the lot width if utilizing a 59' street cross-section to accommodate street trees).

- 54) Minimum Lot Frontage: 50 feet

Comment: Common Area 6 and Common Area 13 do not comply with Article 6.10(C) requiring that "[a]ll Lots shall abut on a Street..."

- 55) Minimum Building Setback Lines:

- a) Front Yard: 30 feet (may be reduced by 3 feet if utilizing a 59' street cross-section to accommodate street trees).
- b) Side Yard: 12 feet
- c) Rear Yard: 30 feet

- 56) Minimum Lot Width: 100 feet
-

DEVELOPMENT STANDARDS (Chapter 6 of UDO)

The plans comply, as applicable to a Primary Plat and Overall Development Plan, except for those items identified as outstanding below:

- 57) Architectural Standards (Article 6.3)

- a) Perimeter Lots (Article 6.3(C)(1))

Comment: This will be reviewed for compliance by the Department at the time of the building permit review for each individual home, as applicable.



- b) Streetscape Diversity (Article 6.3(C)(2)). At minimum of two (2) of the following three (3) design objectives shall be met:

Comment: The proposed plan does not incorporate (ii) below. As a result, compliance with (i) and (iii) below be reviewed for compliance by the Department at the time of the building permit review for each individual home.

- i) The front façade of a front-load garage shall be recessed from the Front Building Facade by at least five (5) feet. A rear-load garage or a side-load garage, with a minimum of twenty-five (25) square feet of windows in the Building Facade oriented toward the Street, shall also meet this objective.
 - ii) Building Setback Lines shall vary within each Block to eliminate monotonous building placement. Front Yard Building Setback Lines should be staggered to allow a range of six (6) feet offset within the Block and have a minimum variation of two (2) feet increments from adjacent Lots. Staggered Building Setback Lines may not be required to meet this standard where winding streets or a similar development design achieve the same effect.
 - iii) Single-Family Dwellings located on adjacent Lots with a Front Lot Line abutting the same Street shall, at the time of the issuance of the Certificate of Occupancy:
 - (1) Be a significantly different front Building Facade (i.e. architectural style, roof lines, window placement, proportion of siding materials) than the adjacent Lot. Minor variations in architectural features or materials (i.e. shutters, door styles, siding patterns) shall not qualify as significantly different if the Dwelling on the adjacent Lot is of a similar floorplan;
 - (2) Have a different primary siding color than the adjacent Lot; and
 - (3) Have a different color from the adjacent Lot for at least one (1) of the following exterior elements: Masonry Material, the trim, any accent siding (e.g., board and batten, shake).
- c) Building Materials (Article 6.3(C)(3))

Comment: This will be reviewed for compliance by the Department at the time of the building permit review for each individual home.

58) Building Standards (Article 6.4)

59) Landscaping Standards (Article 6.8)

- a) Detention and Retention Areas

Comment: Landscaping that replicates the natural form of ponds (including shade trees, ornamental trees, evergreens, shrubs, hedges, and/or other plantings) is required around all ponds. Please add these plantings to the Landscape Plan.



b) Street Trees

Comment: Please identify the street tree species in the legend.

Comment: Street trees on/between the following lots do not meet the maximum spacing requirement (60 feet):

Lots 48-49; Lots 52-53; Lots 72-73; Lots 88-89; C.A. 9-C.A. 10; Lots 112-113; Lots 117-118; Lots 122-123; and Lots 146-147.

c) Minimum Lot Landscaping Requirements

Comment: Please revise the Landscape Plan as follows:

SF Residential (over 8,000 sq.ft.) 158 Lots	Required	Provided	Difference
Shade Trees	632	4 per Lot	Compliant
Evergreen/Ornamental Trees	316	2 per Lot	Compliant
Shrubs	632	4 per Lot	Compliant

Open Space/Common Area 48 acres	Required	Provided	Difference
Shade/Evergreen/Ornamental Trees	480	522	+42

d) External Street Frontage Landscaping

Towne Road (1,500')	Required	Provided	Difference
Shade Trees	45	45	Compliant
Evergreen Trees	60	60	Compliant
Ornamental Trees	45	45	Compliant
Shrubs	375	375	Compliant
30' Landscaping Area		Yes	Compliant
3' Undulating Mound		Cannot determine height	Label mound height on detail



159 th Street (2,100')	Required	Provided	Difference
Shade Trees	63	60	Compliant
Evergreen Trees	84	84	Compliant
Ornamental Trees	63	63	Compliant
Shrubs	525	525	Compliant
30' Landscaping Area		Yes	Compliant
3' Undulating Mound		Cannot determine height	Label mound height on detail

e) Buffer Yard Requirements

West Buffer Yard (2,398 feet)	Required	Provided	Difference
Shade Trees	72	51	-21
Evergreen Trees	72	51	-21
Shrubs	240	170	-70
30' Buffer Yard		Yes	Compliant

Comment: Common Area 8, Common Area 9, and Common Area 10 do not have any buffer yard landscaping. Please add plantings to these areas. Also, please extend plantings to the southern end of the buffer yard.

North Buffer Yard (1,324 feet)	Required	Provided	Difference
Shade Trees	40	36	-4
Evergreen Trees	40	35	-5
Shrubs	133	120	-13
30' Buffer Yard		Yes	Compliant



Buffer Area One (1,969 feet)	Required	Provided	Difference
Shade Trees	60	0	-60
Evergreen Trees	60	182	+122
Shrubs	197	0	-197
30' Buffer Yard		Yes	Compliant

Comment: The Zoning Commitments enhance the buffer yard width and evergreen requirement, which are met on the plan. However, the Zoning Commitments cannot decrease a standard, and shade trees and shrubs are required plantings in this buffer yard. Please add these plants to the Landscape Plan.

60) Lot Standards (Article 6.10)

Comment: Common Area 6 and Common Area 13 do not comply with Article 6.10(C) requiring that "[a]ll Lots shall abut on a Street..."

61) Setback Standards (Article 6.16)

62) Vision Clearance Standards (Article 6.19)

Comment: Please label the sight line triangle on the landscape plan.

63) Yard Standards (Article 6.21)

COMPLIANCE WITH COMMITMENTS: (pending 1506-ZC-02)

This report identifies all commitments that are applicable at the Primary Plat and Overall Development stage of the review process. All commitments concerning architectural design will be reviewed as building permits for individual buildings are submitted.

64) Density. No more than 168 single-family residences shall be constructed upon the Real Estate. --
COMPLIANT

65) Buffer Area One. -- **COMPLIANT**

- The Developer shall install Buffer Area One consisting of fifty (50) feet in width, which shall be common area and shall not be part of any Lot or Lots.
- Within such Buffer Area One, the Developer shall plant two (2) rows of spruce evergreen trees, each row being twenty (20) feet on center with such spruce evergreen trees being at least five (5) feet in height at time of planting. Such trees shall be installed contemporaneously with the



commencement of the development of the Real Estate and shall be completed prior to the initial paving of any roads.

- c) The Declaration of Covenants shall provide (i) for the establishment of such Buffer Area One, (ii) that such Buffer Area One shall be maintained by the Homeowner's Association and (iii) that any trees located in Buffer Area One that die or are damaged shall be replaced by the Homeowner's Association.

66) Front Landscaping.

- a) Front yard landscaping shall include sixteen (16) shrubs, eighteen (18) inches in height at the time of planting.

Comment: The note on the Landscaping Plan indicates that 4 shrubs will be planted on each Lot. Please modify the note to reflect the requirement that 16 shrubs will be planted in the front yard of each lot.

- b) Front yard landscaping shall include at least one (1) yard tree (2" minimum caliper outside planting bed).

Comment: The note on the Landscaping Plan indicates that 4 shade trees and 2 ornamental/evergreen trees will be planted on each Lot. Please modify the note to reflect the requirement that 1 tree will be planted in the front yard of each lot.

STAFF COMMENTS

- 1) No action is required at this time except to hold the public hearing.
- 2) Prior to the final deposition, the Petitioner will make any necessary revisions to the plans, as noted in this staff report. The Economic and Community Development Department staff will confirm compliance prior to this item being placed on the next Plan Commission agenda.
- 3) If any Plan Commission member has questions prior to the public hearing, then please contact Kevin Todd at 317.379.6467 or ktodd@westfield.in.gov.